



Department of Defense

DIRECTIVE

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Incorporating Through Change 2, April 3, 1970
ASD(PA)

SUBJECT: Cooperation with U. S. News Media Representatives at the Scene of Military Accidents Occurring Outside Military Installations

References: (a) DoD Instruction 5230.16, "Nuclear Accident and Incident Public Affairs Guidance," August 8, 1967
(b) DoD Directive 5200.1, "Safeguarding Official Information in the Interests of the Defense of the United States," *July 10, 1968*

1. PURPOSE

This Directive establishes uniform policy for dealing with U.S. news media representatives at the scene of military accidents that occur outside military installations.

2. APPLICABILITY AND SCOPE

2.1. The provisions of this Directive apply to all DoD Components and cover military accidents occurring in the United States, its territories or its possessions, but outside the confines of military installations.

2.2. The provisions do not cover military accidents:

2.2.1. Occurring outside the United States, its territories or its possessions, guidance for which is set forth in applicable treaties, inter-governmental agreements and laws of other nations; or

2.2.2. Involving nuclear weapons, guidance for which is set forth in reference (a) and in the Joint Department of Army, Navy, Air Force, and Atomic Energy Commission Agreement of February 27, 1958.

3. POLICY AND PROCEDURES

The DoD Components will provide maximum cooperation, consistent with national security responsibilities and reference (b), to properly identified U.S. news media representatives desiring to cover military accidents occurring outside military installations. The military authority at the scene of a military accident occurring outside of a military installation shall:

3.1. Inform news media representatives of the presence of exposed classified material that cannot be removed or covered immediately and ask them to cooperate in its protection. Photographers will be informed that violations of the prohibition on photographing classified DoD material are also violations of Federal criminal statutes (18 U.S.C. 795, 797).

3.2. Refrain from using force if news media representatives refuse to cooperate in the protection of classified DoD material, but request:

3.2.1. The assistance of appropriate civil law enforcement officials in preventing compromise of such material and in recovering all photographs, negatives, and sketches which are presumed to contain classified information; and

3.2.2. The cooperation of the superiors of the offending news media representatives, informing them that publication of such classified information or refusal to return it to military authority will be a violation of Federal statutes (18 U.S.C. 793(e), 795, 797).

3.3. Submit to the Assistant Secretary of Defense (Public Affairs), through channels, a message report concerning refusals of news media representatives or their superiors to cooperate as prescribed in 3.1. and 3.2., above.

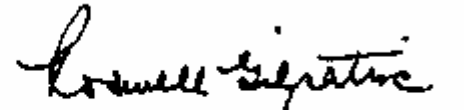
4. EFFECTIVE DATE AND IMPLEMENTATION

4.1. This Directive is effective immediately.

4.2. Two copies of the implementing instructions shall be forwarded to the Assistant Secretary of Defense (Public Affairs) within thirty (30) days; such implementing issuances to contain language directing:

4.2.1. All military and civilian personnel who normally deal with military accidents to be fully conversant with the contents of the Directive; and

4.2.2. Commanders of military installations to advise civil law enforcement officials in their areas that they may be called upon for assistance and cooperation when military accidents occur outside military installations, informing them of the provisions of law that make it a criminal offense to photograph, publish, or refuse to surrender information of a classified defense nature (18 U.S.C. 793(e), 795, 797).


Deputy Secretary of Defense